

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

JAMES LAVELL HARRIS,)	Case No. C 14-3305 PSG (PR)
)	
Plaintiff,)	ORDER CERTIFYING THAT
)	APPEAL IS NOT TAKEN IN
v.)	GOOD FAITH
)	
LAKE COUNTY SHERIFF'S)	
DEPARTMENT, et al.,)	
)	
Defendants.)	
_____)	

James LaVell Harris, proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On December 4, 2014, the court granted leave to proceed in forma pauperis. That same day, the court dismissed the complaint and entered judgment because Harris' eighteen causes of action alleged only violations of state law. Harris filed a timely notice of appeal. On January 5, 2014, the Ninth Circuit Court of Appeals referred this matter for the limited purpose of determining whether Harris' in forma pauperis status should continue on appeal.

Rule 24(a)(3) of the Federal Rules of Appellate Procedure provides that a party granted leave to proceed in forma pauperis in district court may continue in that status on appeal unless the district court certifies that the appeal is not taken in good faith. Section 1915(a)(3) of Title 28 of the United States Code similarly provides that an appeal may not be taken IFP if the trial

1 court certifies it is not taken in good faith. “Not taken in good faith” means “frivolous.”¹

2 This court certifies that the appeal is frivolous and therefore not taken in good faith. The
3 Clerk shall notify Harris forthwith and the Court of Appeals of this order.²

4 IT IS SO ORDERED.

5 DATED: January 6, 2015


PAUL S. GREWAL
United States Magistrate Judge

26 ¹ *Ellis v. United States*, 356 U.S. 674, 674-75 (1958); *Hooker v. American Airlines*, 302 F.3d
27 1091, 1092 (9th Cir. 2002) (order).

28 ² *See* Fed. R. App. P. 24(a)(4).